

REMARKS

Entry of the foregoing amendments and reconsideration of the above-identified application are respectfully requested in view of the remarks that follow.

I. Status of Claims:

Claims 1-15 were pending prior to this submission. Of those, claims 10, 12 and 14 have been withdrawn pursuant to 37 CFR §1.142(b). By this response, claims 1, 11 and 13 have been amended; claim 15 has been cancelled without prejudice or disclaimer; and claim 16 has been newly added. No new matter has been introduced.

II. Rejection Under 35 U.S.C. §103:

Claims 1, 7-9, 11 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese patent application JP 2001-197347 to Itou Takeyoshi (hereafter “ITOU”) in view of U.S. patent No. 6,539,177 to Parulski (hereafter “Parulski”) and further in view of Japanese patent application JP 2000-278592 to Kikuzawa Masahiko (hereafter “Kikuzawa”).

Claims 2 and 3 have been rejected under 35 U.S.C. §103(a) as being unpatentable over ITOU in view of Parulski in view of Kikuzawa and further in view of U.S. patent No. 4,910,599 to Hashimoto (hereafter “Hashimoto”). Claims 4-6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Itou in view of Parulski in view of Kikuzawa and further in view of U.S. patent No. 5,838,371 to Hirose et al. (hereafter “Hirose”).

In response, Applicants have chosen to amend the pending claims as set forth above to more clearly recite the claimed subject matter. In particular, on one hand, independent claim 1 has been amended to address unintended stylistic and/or grammatical informalities. For example, the recitation of claim 1 has been amended to clarify that in the second mode, as illustrated by FIG. 15, only the first signal processing (i.e., reduction processing) is executed until the “limit” is reached, and the second signal processing is inhibited even if the telephoto side is continuously selected. In addition, claim 1 has been amended to include the feature of “displaying a magnification ratio indicator indicating a current magnification ratio on a scale indicating an available minimum magnification ratio at a first end and an available maximum

magnification ratio at a second end such that the indicator moves on the scale between the minimum magnification ratio and the maximum magnification ratio in accordance with changes in the magnification ratio of the image”. Support for this amendatory language can be found, for example, on page 69—line 6 through page 71—line 25 of the specification and FIGs. 23A -24B of the drawings.

In accordance with at least one embodiment of the present invention, as illustrated in FIGs. 23A and 23b, a magnification ratio indicator (2001) indicating a current magnification ratio on a scale (2000) indicating an available minimum magnification ratio at a first end (W) and an available maximum magnification ratio at a second end (T) is provided. The maximum magnification ratio indicated by the second end (T) of the scale changes in accordance with the selection of one of the first mode and the second mode.

The merits of the Itou, Parulski, Hashimoto and Hirose references have been thoroughly discussed by Applicants in remarks made in response to previous Office Actions. (See, e.g., Applicants’ remarks of submissions dated 09/28/2007, 04/04/2008 and 09/12/2008). Applicants continue to maintain, and incorporate herein by reference, those remarks to the extent that the above-references may be considered applicable to the subject claims. More specifically, as previously discussed, Itou teaches obtaining an output image 402 from a selection image 404 (FIG. 3a). In one case, see FIG. 3b, the output image 402 is smaller than the selection image 404, so the zoom operation “thins out” the pixels of the selection image 404 to change into the output image 402. In another case, see FIG. 3c, the output image 402 is larger than selection image 404, so the zoom operation interpolates pixels of the selection image 404 to obtain the output image 402. When too much electronic zoom processing is performed, there is the possibility of causing degradation. In order to avoid degradation a “warning” can be generated. However, if desired, the warning can be intentionally overridden (e.g., force electronic zoom processing [¶ 0050]), which means that image degradation—either intentionally or erroneously—cannot be effectively prevented.

In the Office Action, the Examiner concedes that Itou is deficient in that Itou does not disclose a first mode which performs the second signal processing without inhibiting and a second mode which inhibits the second signal processing. (Office Action, page 3).

In an attempt to cure Itou's deficiencies, the Examiner cites Parulski. The Examiner alleges that Parulski teaches modes "which give suggestions regarding the zooming state of an image and at least a mode in which all suggestions are turned off", and proposes "to turn off the warning message generated when further zooming is instructed". (Office Action, page 4). As discussed in reference to previous Office Actions, Parulski does not appear to solve Itou's deficiencies. Moreover, even if Itou's warning is turned off, image degradation is not prevented when the telephoto side is continuously selected.

In Applicants' latest submission, Applicants asserted that "the cited references do not inhibit electrical zoom operation beyond specific, predetermined magnification ratios, such as the maximum magnification ratio for the second signal processing." (Amendment dated 09/12/2008, page 13).

In the Office Action, the Examiner has cited the additional reference to Kikuzawa. The Examiner asserts that according to Kikuzawa "limits may be placed on the electronic zooming operation so that zooming is fixed to a maximum ratio even if a telephoto button is further pressed" (Office Action, page 4).

As best understood, Kikuzawa appears to disclose a zoom operation key that operates zoom operations between a wide (wide angle = picture reduction) direction and a tele (looking far = picture magnification) direction. (§ 0043). In operation, a system control 21 determines the position of the zoom lens 11 and determines the level of electron[nic] zoom magnification. (§§0054-0055). However, Kikuzawa does not appear to disclose any of the specific "modes" of operation, as recited in claim 1, and as such would not appear to solve the above-noted deficiencies of Itou or Parulski.

As a result, Applicants submit that none of Itou, Parulski and Kikuzawa—alone or in combination—appear to disclose at least a first mode in which "the first signal processing is executed, and when said second detection means detects that the increase in magnification ratio of the image by the first signal processing has reached the limit, the second signal processing is subsequently executed, and if said second detection means detects that the second signal processing has reached the predetermined maximum magnification ratio of the image, the second

signal processing is inhibited”, and a second mode in which “the first signal processing is executed until said second detection means detects that the increase in magnification ratio of the image by the first signal processing has reached the limit, and the second signal processing is inhibited even if said first detection means detects that the telephoto side is continuously selected”, as now amended.

In addition, Applicant submit that none of Itou, Parulski and Kikuzawa—alone or in combination—disclose or suggest the specific features of “displaying a magnification ratio indicator indicating a current magnification ratio on a scale indicating an available minimum magnification ratio at a first end and an available maximum magnification ratio at a second end such that the indicator moves on the scale between the minimum magnification ratio and the maximum magnification ratio in accordance with changes in the magnification ratio of the image” and “wherein said display means changes the maximum magnification ratio indicated by the second end of the scale in accordance with the selection of one of the first mode and the second mode and further displays on the scale a magnification range in which the second signal processing is applied if the first mode is selected”, as now recited in amended claim 1. Independent claims 13 and 18 have been amended to recite features substantially similar to those recited in amended claim 1.

In light of the foregoing response, Applicants submit that independent claims 1, 13 and 18, and claims depending thereupon, as amended herein, are patentably distinguishable over the cited references. Withdrawal of the rejections under 35 U.S.C. §103 and prompt allowance of the pending claims are respectfully requested.

Applicants do not believe it necessary at this time to specifically address the rejections of the dependent claims as Applicants believe that the forgoing remarks concerning claim 1 patentably distinguish all of the pending claims over the cited reference(s). Applicant, however, reserves the right to address those rejections in the future should such a response be deemed necessary and appropriate.

III. New Claims:

Claim 16 has been newly added and is presented herein for the Examiner's consideration. New claim 16 is counterpart to amended claim 1 and recites features substantially similar to those found in independent claim 1. Thus, new claim 16 is considered patentably distinguishable over the references of record for the reasons stated above in reference to claim 1.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Document to Deposit Account No. **504827**, Order No. 1232-5318.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **504827**, Order No. 1232-5318.

Respectfully submitted,
Locke Lord Bissell & Liddell LLP

Dated: March 24, 2009

By:



Steven F Meyer
Registration No. 35,613

Correspondence Address:

Locke Lord Bissell & Liddell LLP
3 World Financial Center
New York, NY 10281-2101
www.lockelord.com
(212) 415-8600 Telephone
(212) 303-2754 Facsimile